



Eric Gonzalez  
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[INSERT NAME]  
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]  
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: FRANKY JOSEPH

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

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**Disclosure # 1:**

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 06/16/2012, AGAINST MOS JOSEPH: ALLEGATION(S):

1. DEPARTMENT RULES VIOLATION – COURT NON-APPEARANCE

CASE STATUS: CLOSED ON 10/19/2012

ACTION TAKEN: SCHEDULE B COMMAND DISCIPLINE ISSUED

**Disclosure # 2:**

MOS JOSEPH ENTERED A PLEA OF GUILTY TO THE FOLLOWING CHARGES AND SPECIFICATIONS ARISING FROM AN INCIDENT ON OR ABOUT 05/29/2012, WHILE MOS JOSEPH WAS ASSIGNED TO THE 81<sup>ST</sup> PRECINCT AND ON DUTY:

ALLEGATION(S):

1. MOS JOSEPH, AT APPROXIMATELY 2130 HOURS, AT A LOCATION KNOWN TO THE DEPARTMENT IN KINGS COUNTY, ABUSED HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT IN THAT HE STOPPED AN INDIVIDUAL KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY

2. MOS JOSEPH, AT APPROXIMATELY 2130 HOURS, AT A LOCATION KNOWN TO THE DEPARTMENT IN KINGS COUNTY, ABUSED HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT IN THAT HE SEARCHED AN INDIVIDUAL KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY

CASE STATUS: CLOSED ON 11/10/2014

ACTION TAKEN: FORFEITURE OF TWO (2) VACATION DAYS

**Disclosure # 3:**

THE NYPD ENTERED A DISPOSITION OF ADMINISTRATIVELY CLOSED, ARISING FROM CCRB CASE #201206906, DATED 11/26/2013, AGAINST MOS JOSEPH:

ALLEGATION(S):

1. MOS JOSEPH, ASSIGNED TO THE 81<sup>ST</sup> PRECINCT, WHILE ON DUTY ON MAY 29, 2012, AT AROUND 2130

HOURS, IN THE VICINITY OF MALCOLM X BOULEVARD AND MADISON STREET, KINGS COUNTY, FAILED TO PREPARE MEMO BOOK ENTRIES RELATING TO THE STOP OF AN INDIVIDUAL KNOWN TO THE DEPARTMENT

2. MOS JOSEPH, ASSIGNED TO THE 81<sup>ST</sup> PRECINCT, WHILE ON DUTY ON MAY 29, 2012, AT AROUND 2130 HOURS, IN THE VICINITY OF MALCOM X BOULEVARD AND MADISON STREET, KINGS COUNTY, FAILED TO PREPARE A UF-250, STOP, QUESTION AND FRISK REPORT, REGARDING THE STOP OF AN INDIVIDUAL KNOWN TO THE DEPARTMENT

DISPOSITION: ADMINISTRATIVELY CLOSED

CASE STATUS: CLOSED ON 08/01/2016

**Disclosure # 4:**

MOS JOSEPH ENTERED A PLEA OF GUILTY TO THE FOLLOWING CHARGES AND SPECIFICATIONS ARISING FROM AN INCIDENT ON OR ABOUT 08/29/2014:

ALLEGATION(S):

1. MOS JOSEPH, AT A LOCATION KNOWN TO THE DEPARTMENT IN NEW YORK COUNTY, DID WRONGFULLY ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY AND DISCIPLINE OF THE DEPARTMENT, TO WIT: WHILE BEING INTERVIEWED AT THE CIVILIAN COMPLAINT REVIEW BOARD REGARDING A POLICE INCIDENT WHICH OCCURRED ON OR ABOUT 06/29/2014, DID MAKE INACCURATE AND MISLEADING STATEMENTS

CASE STATUS: CLOSED ON 11/16/2016

ACTION TAKEN: FORFEITURE OF TWENTY-FIVE (25) VACATION DAYS

**BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:**

**Disclosure # 5:**

CCRB CASE: 201113054

REPORT DATE: 10/06/2011

[REDACTED]

**Disclosure # 6:**

CCRB CASE: 201206906

REPORT DATE: 05/29/2012

INCIDENT DATE: 05/29/2012

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE - STOP
2. ABUSE - SEARCH (OF PERSON)

NYPD DISPOSITION: ADMINISTRATIVE PROSECUTION UNIT GUILTY, FORFEIT VACATION 2 DAYS

OTHER MISCONDUCT NOTED:

1. OTHER MISCONDUCT NOTED - FAILURE TO PRODUCE STOP AND FRISK REPORT
2. OTHER MISCONDUCT NOTED - FAILURE TO PREPARE A MEMO BOOK ENTRY

**Disclosure # 7:**

CCRB CASE: 201406519

REPORT DATE: 06/30/2014

INCIDENT DATE: 06/29/2014

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE - PREMISES ENTERED AND/OR SEARCHED

NYPD DISPOSITION: COMMAND DISCIPLINE - A

OTHER MISCONDUCT NOTED:

1. OTHER MISCONDUCT NOTED - OTHER MISCONDUCT

**Disclosure # 8:**

CCRB CASE: 201407434

REPORT DATE: 07/24/2014

INCIDENT DATE: 07/23/2014

CCRB SUBSTANTIATED ALLEGATION(S):

1. FORCE - CHOKEHOLD

NYPD DISPOSITION: ADMINISTRATION PROSECUTION UNIT CLOSED: RETAINED, WITH DISCIPLINE, INSTRUCTIONS

Eric Gonzalez  
District Attorney  
Kings County